Tuesday, February 10, 2004

STATEMENT OF PROCEEDINGS FOR THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B OF THE KENNETH HAHN HALL OF ADMINISTRATION 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

9:30 AM

Present: Supervisor Gloria Molina, Supervisor Yvonne Brathwaite Burke,

Supervisor Zev Yaroslavsky, Supervisor Michael D. Antonovich and

Chairman Don Knabe

Invocation was led by Father John B. Michael-Reid, St. Michael's Orthodox Catholic Church, Arcadia (5).

Pledge of Allegiance was led by Daniel Ortega, Cerritos/Artesia Post No. 1846, Veterans of Foreign Wars of the United States of America (4).

THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD.

Video Transcript Link for Entire Meeting (03-1075)

Video Transcript

THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD.

NOTICES OF CLOSED SESSION

The Board met in Closed Session to discuss the following:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision (a) of Government Code Section 54956.9)

Susan Rodde, et al. v. Diana Bonta, County of Los Angeles, et al., United States District Court, Central District of California, Case No. CV 03 1580

<u>Harris et al. v. Board of Supervisors et al.</u>, Los Angeles Superior Court Case No. BS 08 1860; United States District Court Case No. CV 03 2008

Union of American Physicians and Dentists, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BS 083 853

These lawsuits challenge the closure of Rancho Los Amigos National Rehabilitation Center and High Desert Hospital, and alleged curtailments at LAC+USC Medical Center and MLK/Drew Medical Center. (03-1392)

NO REPORTABLE ACTION WAS TAKEN

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision (a) of Government Code Section 54956.9)

County of Los Angeles v. Aetna Casualty & Surety Co., Inc. et al., Orange County Superior Court Case No. 785435 (Only)

County of Los Angeles v. Agricultural Insurance Co., et al., Orange County Superior Court Case No. 01CC14113

County of Los Angeles v. Allianz Underwriters, Inc., et al., Orange County Superior Court Case No. 803237

These lawsuits seek payment of insurance proceeds for damages to insured County buildings caused by the Northridge Earthquake. (03-2626)

NO REPORTABLE ACTION WAS TAKEN

CS-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Subdivision (c) of Government Code Section 54956.9)

Initiation of litigation (one case) (04-0105)

NO REPORTABLE ACTION WAS TAKEN

CS-4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Subdivision (b) of Government Code Section 54956.9)

Significant exposure to litigation (twelve cases) (04-0152)

NO REPORTABLE ACTION WAS TAKEN

CS-5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Subdivision (b) of Government Code Section 54956.9)

Significant exposure to litigation (one case) (04-0462)

NO REPORTABLE ACTION WAS TAKEN

CS-6. DEPARTMENT HEAD PERFORMANCE EVALUATIONS

(Government Code Section 54957)

Consideration of Department Head performance evaluations (03-2917)

NO REPORTABLE ACTION WAS TAKEN

CS-7. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representatives: David E. Janssen, Chief Administrative Officer, and designated staff

Employee Organization(s) for represented employees: The Coalition of County Unions, AFL-CIO; Local 660, SEIU, AFL-CIO; Union of American Physicians and Dentists; Guild For Professional Pharmacists; Peace Officers Counsel of California; Association of Public Defender Investigators; and Los Angeles County Association of Environmental Health Specialists; and

Unrepresented employees (all) (03-2515)

NO REPORTABLE ACTION WAS TAKEN

CS-8. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Subdivision (a) of Government Code Section 54956.9)

Community Health Foundation of East Los Angeles v. County of Los Angeles

Department of Health Services, U.S. Bankruptcy Court, Central District of California,
Case No. LA 02-02017 BR

This lawsuit alleges breach of contract concerning payment for outpatient health care services. (03-2882)

NO REPORTABLE ACTION WAS TAKEN

CS-9. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Subdivision (a) of Government Code Section 54956.9)

<u>Los Angeles Times Communications, LLC and Richard P. McKee v. Los Angeles County Board of Supervisors, Los Angeles Superior Court Case No. BS 075 075</u>

This is a lawsuit alleging violations of the Ralph M. Brown Act (Government Code Section 54950 et seq.). (03-3250)

REPORT OF ACTION TAKEN IN CLOSED SESSION:

THE BOARD OF SUPERVISORS VOTED TO ACCEPT A SETTLEMENT OFFER SIGNED ON BEHALF OF THE PLAINTIFFS TO RESOLVE THE ONLY REMAINING ISSUE IN THE CASE REGARDING ATTORNEYS' FEES WITHOUT FURTHER LITIGATION FOR THE TOTAL SUM OF \$116.000.

LITIGATION FOR THE TOTAL SUM OF \$116,000.	
See Final Action	
Absent:	None
Vote:	Unanimously carried
	SET MATTERS

9:30 a.m.

Presentation of scroll to His Excellency Andras Simonyi, Ambassador of Hungary, to officially welcome him upon his visit to Los Angeles County, as arranged by the Chairman.

Presentation of scroll to representatives of IBM proclaiming the week of February 15 through 21, 2004 as "Black Family Technology Week" throughout Los Angeles County, as arranged by Supervisor Burke.

Presentation of scrolls to winners of the 2003 Public Library Children's Book Week Bookmark Contest, as arranged by Supervisor Knabe.

Presentation of scrolls to The Wildlands Conservancy, The Los Angeles County Education Foundation and the Los Angeles County Outdoor Science School

commending them on working together to support underprivileged children by providing them a chance to experience nature and the environment, as arranged by Supervisor Antonovich.

Presentation of scroll to Ruben, a Chihuahua, who recently celebrated his 5th birthday on January 27th, to commend him on his accomplishments as a Therapy Dog who has been actively involved in volunteering and entertaining people through organizations across Southern California, as arranged by Supervisor Antonovich.

Presentation of pets to the television audience for the County's Pet Adoption Program, as arranged by Supervisor Antonovich. (04-0010)

STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE COUNTY OF LOS ANGELES TUESDAY, FEBRUARY 10, 2004 9:30 A.M.

1-D. Recommendation: Approve minutes of the meetings of the Community Development Commission for the month of December 2003. (04-0421)

Supervisor Yaroslavsky

APPROVED

Absent:

See Supporting Document

Vote: Unanimously carried

STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TUESDAY, FEBRUARY 10, 2004

9:30 A.M.

1-H. Recommendation: Acting as the responsible agency, certify that the Housing Authority has considered the Initial Study/Mitigated Negative Declarations (IS/MND) for the following developments: Pisgah Village, Rainbow Apartments, and Pico Gramercy Apartments, all prepared by the City of Los Angeles as lead agency; and Cedar Street Homes (1, 2, 4 and 5), prepared by the State of California, through the Department of Mental Health as lead agency, with no impact on the County general fund; find that the mitigation measures identified in the IS/MNDs, adopted by the respective lead agencies and required as a condition of funding approval, are adequate to avoid or reduce potential environmental impacts of the projects below significant levels; certify that the Housing Authority has considered the Initial Study/Negative Declarations for Sierra Madre Senior Housing, prepared by the City of Sierra Madre as lead agency; and Orange Grove Gardens Apartments, prepared by the City of Pasadena as lead agency; find that projects will not have a significant effect on the environment; and approve the following related actions: (04-0416)

Find that the Pacific Housing development is exempt from the California Environmental Quality Act because it involves negligible or no expansion of use beyond what currently exists and does not have the potential for causing a significant effect on the environment;

Find that the environmental documents reflect the independent judgment of the Housing Authority and authorize the Executive Director to take any and all actions necessary to complete implementation of the environmental review actions:

Approve loans to developers using City of Industry Redevelopment Housing Set-Aside Funds (Industry Funds), in total amount up to \$8,989,402, for development of nine affordable multifamily rental, senior rental, and special needs housing developments (1, 2, 4 and 5), which have been selected through a Request For Proposals process approved by the Board;

Authorize the Executive Director to negotiate and execute loan agreements and all related documents, with the recommended developers, effective upon execution by all parties;

Authorize the Executive Director to execute documents to subordinate the

loans to permitted construction and permanent financing, execute any necessary intergovernmental, interagency or inter-creditor agreements, and execute and modify all related documents as necessary for the implementation of each development; and

Authorize the Executive Director to incorporate a maximum of \$8,989,402 in Industry Funds into the Housing Authority's approved Fiscal Year 2003-04 budget, to fund development of the recommended projects.

APPROVED

See Supporting Document		
Absent:	None	
Vote:	Unanimously carried	
2-H. Recommendation: Approve minutes of the meeting of the Housing Authority for the month of December 2003. (04-0423)		
APPROVED		
See Supporting Document		
Absent:	Supervisor Yaroslavsky	
Vote:	Unanimously carried	

STATEMENT OF PROCEEDINGS FOR THE MEETING OF
THE REGIONAL PARK AND OPEN SPACE DISTRICT
OF THE COUNTY OF LOS ANGELES
TUESDAY, FEBRUARY 10, 2004
9:30 A.M.

1-P. Recommendation: Approve minutes of the meeting of the Regional Park and Open Space District for the month of December 2003. (04-0425)		
APPROVED		
See Supporting Document		
Absent:	Supervisor Yaroslavsky	
Vote:	Unanimously carried	
BOARD OF SUPERVISORS (Committee of Whole) 1 - 13		
1.Recommendations for appointme Commissions/Committees/Specia on file in Executive Office. (04-0	al Districts (+ denotes reappointments): Documents	
	ounty Mental Health Commission; also waive quirement, pursuant to County Code Section	
Supervisor Antonovich Richard R. Wirth, Board of Retirement (Rotational)		
Independent Cities Association Councilman Benjamin "Frank" Venti, Los Angeles County Commission on Local Governmental Services		
APPROVED		
Absent:	None	

Unanimously carried

Vote:

2. Recommendation as submitted by Supervisor Molina: Waive Board Room use fee in amount of \$250, and audio equipment fee in amount of \$416, excluding the cost of liability insurance, for the Senate Health and Human Services Committee of the California State Legislature's informational hearing regarding possible toxic exposure at Beverly Hills High School, to be held in Room 381B at the Kenneth Hahn Hall of Administration on March 12, 2004. (04-0456)

Administration on March 12, 2004. (04-0456)		
APPROVE	D	
See Suppor See Final A	ting Document ction	
Absent:	None	
Vote:	Unanimously carried	
Advocates would enab Energy Ass	ndation as submitted by Supervisor Burke: Instruct the County's Legislative in Sacramento to assist in seeking approval of legislative proposals that ble Los Angeles County to compete directly for Federal Low-Income Home sistance Program funds. (Continued from meetings of 1-13-04 and 1-27-04 est of Supervisor Burke) (04-0151)	
REFERRED BACK TO SUPERVISOR BURKE'S OFFICE		
See Suppor See Final Ad	ting Document ction	
Absent:	Supervisor Yaroslavsky	
Vote:	Common Consent	
15 through Angeles Co with school	ndation as submitted by Supervisor Burke: Proclaim the week of February 21, 2004 as "Black Family Technology Awareness Week" throughout Losbunty; and join with IBM, the lead corporate sponsor, in its plan to partner s, churches and community organizations nationwide to sponsor forums strate how technology is best used to improve the quality of life. (04-0460)	
APPROVE	D	
See Suppor	ting Document ction	
Absent:	None	

Vote:	Unanimously carried
waive the esting liability insurar	ion as submitted by Supervisor Knabe: Reduce permit fee to \$75 and nated gross receipts fee in amount of \$1,800, excluding the cost of ice, for the National Scholastic Surfing Association's annual surfing held at 42nd Street in Manhattan Beach on March 27 and 28, 2004.
APPROVED	
See Supporting See Final Actio	
Absent:	None
Vote:	Unanimously carried
The Economic Budget Act on one-time Economic accumulated (voters which wexpenditures demergency in fiscal emerger address the energency in Proposition 57 (Continued from (04-0393)	
Absent:	None

Vote:

No: Supervisor Antonovich and Supervisor Knabe

7. Recommendation as submitted by Supervisor Antonovich: Direct the Director of Children and Family Services to respond to the report by the Children's Services Inspector General regarding the investigation into the death of Ivan M., a child who had been reported to the Department of Children and Family Services on six occasions for possible abuse and neglect; and to report back to the Board within 14 days with a corrective action plan and recommendations to help prevent similar situations in the future. (04-0455)

APPROVED AS AMENDED TO INSTRUCT THE DIRECTOR OF CHILDREN AND FAMILY SERVICES TO ALSO INCLUDE THE FOLLOWING IN THEIR CORRECTIVE ACTION PLAN TO BE PRESENTED IN 14 DAYS:

- 1. OUTLINE INVOLVEMENT OF THE SUPERVISING SOCIAL WORKER, ASSISTANT REGIONAL ADMINISTRATOR AND REGIONAL ADMINISTRATOR IN THE REVIEW OF THIS CASE, AND RECOMMEND DISCIPLINARY ACTIONS FOR ALL OF THESE LEVELS OF STAFF IN ORDER TO PREVENT THIS APPARENT LACK OF JUDGMENT IN THE FUTURE:
- 2. IF SUPERVISORY STAFF WAS NOT AWARE OF THE CASE, HOW WILL YOU INSTITUTE A CHECKS AND BALANCES SYSTEM OR TRIGGER MECHANISM WHERE SUCH CASES MAY BE CAUGHT IN THE FUTURE?
- 3. OUTLINE A PLAN WHEREBY THE DEPARTMENT'S EXECUTIVE COMMITTEE DIRECTLY CONDUCTS REVIEWS AND INTERVIEWS ON SUCH CASES, IN ORDER TO CONDUCT AN INDEPENDENT REVIEW OUTSIDE OF THE CASE CARRYING OFFICE:
- 4. EXPLAIN HOW STAFF JUDGMENT ISSUES WERE HANDLED; INCLUDE RETRAINING, REVIEWS AND RECOMMENDATIONS TO ALERT STAFF TO SUCH ISSUES IN THE FUTURE; AND INCLUDE THE PROCESS FOLLOWED BY SOCIAL WORKERS TO DETERMINE UNFOUNDED ABUSE FINDINGS; AND
- 5. ON THE DEPARTMENT'S FOLLOW UP ON A REFERRAL MADE TO THE ADULT PROTECTIVE SERVICES ON JANUARY 6, 2003 WITH RESPECT TO THE MOTHER IN THIS CASE; INCLUDE STAFF DISCIPLINARY ACTIONS, IF APPROPRIATE.

See Supporting Document
Video
See Final Action

Board of Supervisors Statement of Proceedings for 2/10	0/2004
Absent:	None
Vote:	Unanimously carried
report back to the Board within three inmates, with Immigration assigned to work at the laundry how the inmates escaped, who implemented to prevent future expenses.	by Supervisor Antonovich: Request the Sheriff to three weeks on the circumstances of the escape by and Naturalization Service (INS) holds, who were facility at Pitchess Detention Facility and to include the responsible parties were, and what policies will be escapes, including a possible change in the selection would prohibit inmates with INS holds to qualify as
APPROVED	
See Supporting Document See Final Action	
Absent:	None
Vote:	Unanimously carried
9. Recommendation as submitted by Supervisor Antonovich: Extend the \$10,000 reward offered for any information leading to the arrest and conviction of Armando Garcia, aka Daniel Garcia and "Chato", responsible for the death of Los Angeles County Sheriff's Deputy David March who was shot and killed after making a routine traffic stop on Live Oak Ave. just east of Peck Rd., in City of Irwindale, on April 29, 2002 at approximately 10:30 a.m. (04-0448)	
APPROVED	
See Supporting Document See Final Action	
Absent:	Supervisor Yaroslavsky
Vote:	Unanimously carried

10. Recommendation as submitted by Supervisor Antonovich: Request the District Attorney to include forfeiture of vehicles when used in the commission of crimes involving solicitation, prostitution, drugs, illegal weapons and stealing public water in their report to the Board which due date has been extended to March 12, 2004, regarding the feasibility and legal ramifications of adopting an ordinance which authorizes forfeiture of vehicles when used in illegal dumping activities. (04-0451)

regarding the feasibility and le	egal ramifications of adopting an ordinance which es when used in illegal dumping activities. (04-0451)
APPROVED	
See Supporting Document See Final Action	
Absent:	None
Vote:	Unanimously carried
Community and Senior Servic Supervisorial District Commun Community Development Corp	ed by Supervisor Antonovich: Direct the Director of the ses to give a portion of the unallocated Fifth hity Service Block Grant funds to the Santa Clarita poration, which would allow the agency to operate the e ending date of March 15, 2004. (04-0463)
APPROVED	
See Supporting Document See Final Action	
Absent:	Supervisor Yaroslavsky
Vote:	Unanimously carried
12. Recommendation as submitted by Supervisor Antonovich: Waive special services fees in amount of \$711, excluding the cost of liability insurance, at the County Arboretum for the City of Arcadia's 30th Annual Mayor's Prayer Breakfast, to be held April 9, 2004. (04-0450)	
APPROVED	
See Supporting Document See Final Action	
Absent:	None

Vote:	Unanimously carried	
	the Board's recommendation: Approve minutes for the Decembers Board of Supervisors and Special Districts for which the Board by. (04-0419)	
APPROVED		
See Supporting Docu	<u>ment</u>	
Absent:	Supervisor Yaroslavsky	
Vote:	Unanimously carried	
ADMINISTRATIVE C	FFICER (Committee of Whole) 14	
pension plan from t	Adopt resolution allowing contributions on a pre-tax basis to the ermination pay for the purchase of qualified retiree service credits voluntarily signs an irrevocable agreement. (04-0447)	3
See Supporting Docu	<u>ment</u>	
Absent:	None	
Vote:	Unanimously carried	
CHILDREN AND FA	AII Y SERVICES (1) 15	

15. Recommendation: Approve and authorize the Director to prepare a Cooperative Agreement with the Director of the California Department of Social Services (CDSS) and request the State to submit an application for a waiver of certain provisions of Title IV-E of the Social Security Act and authorization from the Secretary of the U.S. Department of Health & Human Services, Administration for Children and Families, for the State to conduct a Child Welfare Waiver Demonstration Project in Los Angeles County; approve proposal for a Title IV-E Demonstration Waiver Application to be submitted by the County to CDSS on behalf of the State and authorize the Director to participate in negotiating the final terms and conditions of the Title IV-E Waiver Agreement between CDSS and the U.S. Department of Health & Human Services and the Cooperative Agreement between the County and the State, subject to acceptance and approval by the Board. (Continued from meeting of 2-3-04 at the request of Supervisor Antonovich) (04-0358)

CONTINUED ONE WEEK TO FEBRUARY 17, 2004; ALSO CONTINUED ONE WEEK TO FEBRUARY 17, 2004 SUPERVISORS YAROSLAVSKY AND ANTONOVICH'S AMENDMENT TO APPROVE THE PROPOSAL FOR A TITLE IV(E) DEMONSTRATION WAIVER APPLICATION AND DIRECT THE DIRECTOR OF CHILDREN AND FAMILY SERVICES TO MODIFY THE PROPOSAL TO INCLUDE LANGUAGE THAT WOULD ALLOW THE STATE TO EXPEND TITLE IV(E) FUNDING ON SERVICE BLENDING AND CAPITAL EXPENSES FOR A RESIDENTIAL ACADEMY TO SUPPORT LIFE-SKILLS, INDIVIDUALIZED EDUCATIONAL OPPORTUNITIES, AND ENRICHED SERVICES FOR IMPROVED EMANCIPATION OUTCOMES.

See Supporting Document
Video
Video Part 2
See Final Action

Absent: None

Vote: Common Consent

HEALTH SERVICES (Committee of Whole) 16 - 17

16. Recommendation: Approve and instruct the Director to sign standard agreement with the California Department of Health Services (CDHS) in amount of \$444,163, to accept continued funding support for the Statewide Immunization Information System, for the period of July 1, 2003 through June 30, 2004; authorize the Director to sign subsequent standard agreements from CDHS for Fiscal Years 2004-05, 2005-06 and 2006-07 which do not exceed 25% of the base award for Fiscal Year 2003-04; also approve and authorize the Director to execute amendments to the standard agreement from CDHS for Fiscal Years 2003-04, 2004-05, 2005-06 and 2006-07, which do not exceed 25% of the base award for each Fiscal Year; and authorize the Director to take the following related actions: (04-0414)

Execute renewal subcontract agreement with Pasadena Public Health Department (PPHD) to continue the development implementation, evaluation and support of the Los Angeles Immunization Network, which shall supersede the current PPHD Los Angeles Regional Immunization Registry (LINK) agreement, in amount of \$61,192, 100% offset by CDHS funds, effective upon Board approval through June 30, 2004, with provisions for a 12-month automatic renewal through June 30, 2005, contingent upon receipt of CDHS funding for Fiscal Year 2004-05; and

Execute subcontract agreement with City of Long Beach in amount of \$26,816, 100% offset by CDHS funds, to implement, evaluate and support LINK, effective upon Board approval through June 30, 2004, with provisions for a 12-month automatic renewal through June 30, 2005, contingent upon receipt of CDHS funding for Fiscal Year 2004-05.

APPROVED

See Supporting Document

Absent:	None
Vote:	Unanimously carried

17. Recommendation: Approve and instruct the Director to sign amendment to agreement with Hospital Association of Southern California for the continued provision of support services for the ReddiNet Emergency Communications System at a total increased cost of \$154,506, which includes net County costs of \$5,596 for service fee increases for terminal management, and grant funding in amount of \$148,910 from Health Resources and Services Administration and Centers for Disease Control and Prevention, for a services fee increase for the Bioterrorism Program of \$18,910 for software modifications, \$110,000 for a consultant-trainer and \$20,000 contingency fee for software modifications and purchases of additional licenses for internet access, effective upon Board approval through June 30, 2005. (04-0444)

APPROVED

See Supporting Document

Absent:	None	
Vote:	Unanimously carried	
MENTAL HEALTH (5)	<u> 18 - 19</u>	
amount of \$2,536,000 Participation Medi-Ca Diagnosis and Treatm from the Sales Tax Re	prove appropriation adjustment for Fiscal Year 200 fully funded with \$1,456,000 in prior year Federal I funding, \$1,040,000 in prior year Early and Period ent State General Funds, and \$40,000 in unexpendent Trust account, to allow the Department ice providers for Fiscal Year 2001-02 services. 4-Venet	Financial ic Screening ded funds to reimburse
Absent:	None	
Vote:	Unanimously carried	
Education Act (IDEA) of Education (LACOE students identified wit effective upon Board (MOU) with LACOE to	thorize the receipt of Federal Individuals with Disab funds totaling \$14,034,309 from the Los Angeles C) for Fiscal Year 2003-04, for mental health services h disabilities and with an individualized education p approval; also approve the Memorandum of Unders o allow the County to receive the Federal IDEA func- to comply with legislation, to allow the County to pro-	county Office s to eligible lan (IEP), standing I allocation

State-mandated mental health services to eligible students identified with disabilities

and with an IEP; and instruct the Chairman to sign the MOUs. (04-0413)

APPROVED

See Supporting Document

Absent: Supervisor Yaroslavsky Unanimously carried Vote: PARKS AND RECREATION (2) 20 20. Joint recommendation with the Chief Administrative Officer: Accept the remaining work of contractor Advanced Construction for completion of improvements included in the La Mirada Regional Community Park Project, Specs. 98-3080, C.P. No. 68959 (4), at a total construction cost of \$1,023,050; and instruct the Director to release the remaining retention amount of \$51,152 to Advanced Construction. (04-0440) **APPROVED** See Supporting Document Absent: Supervisor Yaroslavsky Vote: Unanimously carried PUBLIC SOCIAL SERVICES (2) 21

21. Recommendation: Approve the Implementation Plan for Provision of Limited English Proficient (LEP) Training for CalWORKs Participants and Needy Families resulting from the Department's LEP planning process; authorize the Director to roll over any unspent funds of the Fiscal Year 2003-04 allocation of \$2,038,000 for the LEP program into Fiscal Year 2004-05; and authorize the Director to enter into contracts with public educational institutions and Housing authorities to provide education and training programs for LEP CalWORKs Participants and Needy Families, effective one day after execution for a period of 12 months or through June 30, 2005, whichever is later, at a maximum cost of \$2,038,000, using Performance Incentives-Net County

Cost Funds. APPROVE (Continued from meeting of 2-3-04 at the request of the Director) (04-0361)

APPROVED	
See Supporting Document	
Absent:	None
Vote:	Unanimously carried
 PUBLIC WORKS (4) 22 - 31 22. Recommendation: Acting as the governing body of the County Flood Control District accept completed construction work; adopt resolution approving the transfer and conveyance of Private Drain No. 1826, Tract No. 37856, Pasadena (5) to the County Flood Control District for operation and maintenance; and find that transfer is exemp from the California Environmental Quality Act. 4-VOTES (04-0418) ADOPTED See Supporting Document 	
Absent:	None
Vote:	Unanimously carried

23. Recommendation: Award and instruct the Director to sign contract with Rogers and Associates for the Elementary School Environmental Education Program, to provide educational outreach to elementary school children in the County (All Districts) to achieve reductions in landfill waste and reduce pollutants in waterways; and authorize the Director to encumber an amount not to exceed \$1,050,000 annually for the term of the contract, financed by 2003-04 Solid Waste funds in amount of \$800,000, Flood Control District funds in amount of \$200,000, and up to \$50,000 from contributions

specifically designated for this program from non-County sources, effective upon Board approval for three years, with two one-year renewal options; and authorize the Director to renew the contract for the two one-year renewal options. (Continued from meetings of 1-20-04 and 2-3-04 at the request of the Board) (04-0260)

APPROVED See Supporting Document Absent: None Vote: Unanimously carried 24. Joint recommendation with the Chief Administrative Officer and Director of Parks and Recreation: Consider and approve Addendum 1 to the Mitigated Negative Declaration in accordance with the California Environmental Quality Act for the proposed renovations to the Hollywood Bowl Food and Beverage Facilities Project (3); find that Addendum 1 reflects the County's independent judgment and analysis; approve the revised project budget of \$22,587,563, to be funded by Safe Neighborhood Parks Proposition of 1996, Third District Capital Project and Extraordinary Maintenance funds, and the Los Angeles Philharmonic Association; approve appropriation adjustment to transfer \$268,079 in Third District Capital Project funds and \$701,000 in Third District Extraordinary Maintenance funds to the Hollywood Bowl Shell Replacement Project, C.P. 77090; and authorize the Chief Administrative Officer to approve an increase in the project budget with corresponding increase in funding from the Los Angeles Philharmonic Association and to report back to the Board at the completion of the project scheduled for June 10, 2004. (04-0461) **APPROVED** See Supporting Document

None

Unanimously carried

Absent:

Vote:

25. Recommendation: Consider the Notice of Exemption for the proposed project to install traffic signals at the intersection of Avenue O at 10th Street West, which is within the shared geographical boundaries of the City of Palmdale (5) and the County, filed with the County Clerk by the City of Palmdale on December 30, 2003; concur that the project is exempt from the California Environmental Quality Act; and find that these actions reflect the independent judgment of the County; also approve and instruct the Chairman to sign a cooperative agreement with the City for the City to perform the preliminary engineering and administer the construction of the project, at a total current estimated cost of \$224,000, with the City to finance 75% and the County to fund 25% at \$56,000. (04-0420)

APPROVED: ALSO APPROVED AGREEMENT NO. 74753

APPROVED; ALSO APPROVED AGREEMENT NO. 14755		
See Supporting Document		
Absent:	None	
Vote:	Unanimously carried	
26. Recommendation: Approve and authorize the Director to execute amendment to agreement with Midori Gardens Landscape Services, for the one time refurbishment of medians located on Workman Mill Rd. between Coleford Ave. and Don Julian Rd. (1), and to add landscaping services for the newly constructed medians along Live Oak Ave. between 9th Street and Mayflower Ave. (5); also authorize the Director to encumber a one time additional amount of \$5,500, for the refurbishing of the existing medians and an additional annual amount of \$5,894 for the landscaping services of the newly constructed medians, increasing the annual not-to-exceed amount from \$29,274 to \$40,668, plus 15% for additional, unforeseen landscaping maintenance needs within the scope of the contract that may arise during the upcoming fourth year and \$35,168 plus 15% during the fifth and final year of the contract, funded by the Fiscal Year 2003-04 Road Fund budget; and find that contract work is exempt from the California Environmental Quality Act. (04-0410)		
See Supporting Document		
Absent:	None	
Vote:	Unanimously carried	

27. Recommendation: Acting as the governing body of the County Flood Control District, approve the Fiscal Year 2003-04 budget for the Watershed Conservation Authority, a Joint Powers Authority consisting of the Los Angeles County Flood Control District and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (1, 2, 4 and 5). (04-0417)

APPROVED	
See Supporting Docume	<u>nt</u>
Absent:	Supervisor Yaroslavsky
Vote:	Unanimously carried
Specifications for Pub	opt the 2004 Supplement to the 2003 Edition of the Standard ic Works Construction for use by the County and various of the Board on public works construction projects. (04-0415
ADOPTED	
See Supporting Docume	<u>nt</u>
Absent:	Supervisor Yaroslavsky
Vote:	Unanimously carried
	opt findings and orders of the Building Rehabilitation Appeal or abatement of public nuisance at the following locations:

Board of Supervisors Statement of Proceedings for 2/10/2004 3902 East 5th Street, Los Angeles (1) 4730 E. Olympic Blvd., Los Angeles (1) 1789 Firestone Blvd., Los Angeles (1) 1342 E. 78th Street, Los Angeles (2) 9427 S. Baird St., Los Angeles (2) 5512 S. Rimpau Blvd., Los Angeles (2) 3628 Olympiad Dr., Los Angeles (2) 18647 E. Bellorita St., Rowland Heights (4) 6303 Avon Ave., San Gabriel (5) 5571 N. Willard Ave., San Gabriel (5) 16801 E. Arrow Hwy., Azusa (5) 48408 90th Street East, Lancaster (5) ADOPTED See Supporting Document Soc Supporting Document

See Supporting Document See Supporting Document	
Absent:	Supervisor Yaroslavsky
Vote:	Unanimously carried

30. Recommendation: Find that requested change in work has no significant effect on the environment and approve change for Project ID No. FCC0000703 - Ward Channel Invert and Connector Pipe Repairs, vicinity of Glendale (5), Kalban, Inc., in amount of \$56,435.67. (04-0453)

APPROVED

See Supporting Document

Absent:	None
Vote:	Unanimously carried

31. Recommendation: Ratify changes and accept completed contract work for the following construction projects: (04-0454)

Project ID No. FMD0002029 - Catch Basin Cleanout 2003, East Maintenance Area, Unit 2, vicinities of La Puente, Diamond Bar, Claremont, Glendora, and Walnut (1, 4 and 5), United Pacific Services, with changes in the amount of \$6,281, and a final contract amount of \$147,497

Project ID No. RDC0014312 - Sierra Highway, vicinity of Pamdale (5), Granite Construction Company, with changes amounting to a credit of \$3,947.04, and a final amount of \$238,567.96

APPROVED	
See Supporting Documer	<u>t</u>
Absent:	None
Vote:	Unanimously carried
SHERIFF (3) 32 - 33	
the Negative Declaration the project will not have wildlife resources, and establish Capital Project Project (2); authorize the appropriation adjustme Capital Project Budget, Funds in amount of \$20 of \$200,000 to fund professemption. (04-0422)	with the Chief Administrative Officer: Consider and approve in (ND) for the new Athens Sheriff's Satellite Station; find that is a significant effect on the environment or adverse effect on that the ND reflects the independent judgment of the County; it No. 77288 for the new Athens Sheriff's Satellite Station is Sheriff to implement and deliver the project; approve in which provides \$400,000 in appropriation to the 2003-04 funded from Second Supervisorial District, Capital Project 100,000, and the Sheriff's Fixed Asset Appropriation in amount ject costs; and authorize the Sheriff to file a Certificate of Fee
APPROVED	
See Supporting Documer	<u>.t</u>
Absent:	None
Vote:	Unanimously carried

33. Recommendation: Transfer funds from Services and Supplies to reimburse the Sheriff's Special Appropriation Fund in amount of \$5,613.24. (04-0432)		
APPROVED		
See Supporting Document		
Absent:	Supervisor Yaroslavsky	
Vote:	Unanimously carried	
TREASURER AND TAX COLLECTOR (1) 34		
 34. Recommendation: Authorize acceptance of compromise offers of settlement from the following individuals who were injured in a third party compensatory accident and who received medical care at a County facility: (04-0426) Linda Henry, in amount of \$5,000 Mari M. Bicakci, in amount of \$522.65 Lucinia R. Points, in amount of \$4,736.58 Samuel K. Bowie, in amount of \$4,974.11 Guillermo Garcia, in amount of \$3,977 Michael Sanchez, in amount of \$5,000 		
APPROVED		
See Supporting Document Absent:	None	

Unanimously carried

MISCELLANEOUS COMMUNICATIONS 35 - 43

Vote:

35. Request from the City of Arcadia to render specified services relating to the conduct of a General Municipal Election to be held on April 13, 2004. (04-0441)

APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS.

See Supporting Document See Final Action		
Absent:	None	
Vote:	Unanimously carried	
36. Request from the City of Avalon to render specified services relating to the conduct of a General Municipal Election to be held on April 13, 2004. (04-0439) APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS.		
See Supporting Document See Final Action		
Absent:	None	
Vote:	Unanimously carried	
37. Request from the City of Azusa to render specified services relating to the conduct of a Special Municipal Election to be held on May 4, 2004. (04-0429) APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS.		
See Supporting Document See Final Action		
Absent:	None	

Board of Supervisors Statement of Proceedings for 2/10/2004 Vote: Unanimously carried 38. Request from the City of Culver City to render specified services relating to the conduct of a General Municipal Election to be held on April 13, 2004. (04-0387) APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/ COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS. See Supporting Document See Final Action Absent: None Vote: Unanimously carried 39. Request from the City of Malibu to render specified services relating to the conduct of a General Municipal Election to be held on April 13, 2004. (04-0438) APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/ COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS. See Supporting Document See Final Action Absent: None Vote: Unanimously carried

40. Request from the Alhambra City Elementary School District: Adopt resolution authorizing the County to levy taxes in amount sufficient to pay the principal and interest on Alhambra City Elementary School District General Obligation Bonds, Election 1999, Series B, issued by the School District in aggregate principal amount of not to exceed \$9,039,439; and instructing the Auditor-Controller to place taxes on the 2003-04 tax roll and all subsequent tax rolls, taxes sufficient to fulfill the requirements of the debt service schedule to be provided by the School District

following the sale of the bonds. (04-0446)

ADOPTED

See Supporting Docu	<u>ent</u>	
Absent:	None	
Vote:	Unanimously carried	
levy taxes in an am District General Obl School District in ag instructing the Audit tax rolls, taxes in ar	rvey School District: Adopt resolution authorizing the County to unt sufficient to pay the principal and interest on Garvey School ation Bonds, Election 2000, Series B, to be issued by the regate principal amount not to exceed \$7,000,096.75; and r-Controller to place on the 2003-04 tax roll, and all subsequent sufficient to pay the principal and interest on the bonds ervice schedule to be provided by the School District following (04-0442)	l
ADOPTED		
See Supporting Docu See Final Action	<u>ent</u>	
Absent:	None	
Vote:	Unanimously carried	
County to levy taxes General Obligation to be issued by the instructing the Audit tax rolls, taxes in ar according to a debt the sale of the bond	ittier City School District: Adopt resolution authorizing the n an amount sufficient to pay the principal and interest on onds of the Whittier City School District, Election 2000, Series chool District in aggregate principal amount of \$5,000,000; and r-Controller to place on the 2004-05 tax roll, and all subsequent ount sufficient to pay the principal and interest on the bonds ervice schedule to be provided by the School District following (04-0445)	k
ADOPTED		
See Supporting Docu See Final Action	<u>ent</u>	
Absent:	None	

Vote:	Unanimously carried
Chairman to sign District's propose commonly known Gale Ave., City of accordance with Society to undertable and Museu	Hacienda La Puente Unified School District: Adopt and instruct the resolution approving the Hacienda La Puente Unified School delease agreement in which the District will lease real property as the John A. Rowland Home and Museum, located at 15959 E. If Industry (1) to the La Puente Valley Historical Society in California Education Code Section 17482, to allow the Historical ake improvements to and preservation of the John A. Rowland um for the benefit of the community; and find that the proposed lease California Education Code. (04-0449)
ADOPTED	
See Supporting Do	<u>cument</u>
Absent:	None
Vote:	Unanimously carried
ORDINANCES FO	R ADOPTION 44 - 45
minor changes to Non-Responsibil	loption amending the County Code, Title 2 - Administration, making o provide clarity and consistency to Determinations of Contractor ity and Contractor Debarment. (04-0340) NANCE NO. 2004-0009; THIS ORDINANCE SHALL TAKE 111, 2004
See Supporting Do	<u>cument</u>
Absent:	None
Vote:	Unanimously carried

45. Ordinance for adoption amending the County Code, Title 6 - Salaries, specifically Section 6.20.080, Other Leaves of Absence, by renaming subsection K from Worldwide Terrorist Crisis to War on Terrorism, and by permitting compensation, as provided in the subsection, to any employee called into active duty. (04-0269)

ADOPTED ORDINANCE NO. 2004-0010; THIS ORDINANCE SHALL TAKE **EFFECT FEBRUARY 10, 2004** See Supporting Document See Final Action Absent: None Vote: Unanimously carried PUBLIC HEARING 46. Sale at public auction of County-owned surplus real property located at 8019 Compton Ave., unincorporated South Los Angeles (2), at a minimum bid of \$570,000. (Continued from meetings of 11-25-03 and 12-16-03) (03-2973) **CONTINUED WITHOUT DISCUSSION TO MARCH 23, 2004.** See Supporting Document Absent: Supervisor Yaroslavsky Vote: Common Consent

MISCELLANEOUS

47. Additions to the agenda requested by Board members and the Chief Administrative Officer, which were posted more than 72 hours in advance of the meeting, as indicated on the green supplemental agenda.

47-A. Recommendation as submitted by Supervisor Yaroslavsky: Thank the members of the Los Angeles County Adult Day Health Care Planning Council and its staff for their dedicated service to improve the health and lives of older adults in Los Angeles County; instruct the Executive Officer of the Board to notify the Chairperson of the Adult Day Health Care (ADHC) Planning Council and all appropriate County Departments of the termination of County support for activities relating to the operation of the ADHC Planning Council, including the provision of meeting space and staff support for Council meetings and activities; instruct County Counsel to prepare an ordinance for the February 17, 2004 Board meeting disbanding the ADHC Planning Council; also instruct the Director of Health Services to share the Department's Status of Adult Day Health Care in Los Angeles County - Final Report dated December 31, 2003, which addressed the status of the ADHC Planning Council with the Directors of the California Department of Health Services and California Department of Aging, and inform these agencies of the dissolution of the Los Angeles County Adult Day Health Care Planning Council; instruct the Director of Health Services to send a letter to Governor Schwarzenogger urging that as part of its

Medi-Cal reform efforts, his Administration review the program administration, regulation and financing of the ADHC Program. (04-0503)			
CONTINU	CONTINUED ONE WEEK TO FEBRUARY 17, 2004		
See Supporting Document			
Absent:	None		
Vote:	Common Consent		
47-B. Recommendation as submitted by Supervisor Antonovich: Direct the Chief Administrative Officer to prepare a five-signature letter to President Bush, Vice President Cheney, Director of the Office of Management and Budget Joshua B. Bolten, Attorney General Ashcroft and California's Congressional Delegation in support of full reimbursement from the State Criminal Alien Assistance Program for the incarceration of undocumented criminal aliens. (04-0501) APPROVED			
See Supportin See Final Action			
Absent:		None	
Vote:		Unanimously carried	

See Supporting Document

47-C. Director of Beaches and Harbors' joint recommendation with the Chief Administrative Officer: Approve and instruct the Chairman to sign amendment to Limited Forbearance Agreement for Parcel 125R, extending the time by which Essex Marina City Club, L.P. (Lessee), shall have satisfied enumerated conditions precedent to and shall have executed a proposed amendment to the Second Amended and Restated Lease between the County and Lessee for Parcel 125R in Marina del Rey; and find that proposed amendment is exempt from the California Environmental Quality Act. (04-0502)

APPROVED AGREEMENT NO. 55624, SUPPLEMENT NO. 1

Absent:	None
Vote:	Unanimously carried

51. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

ENRIQUE MUNOZ AND PETER BAXTER ADDRESSED THE BOARD. (04-0537)

Video

52. On motions duly seconded and unanimously carried, the meeting was adjourned in memory of the following persons:

Supervisors Burke, Antonovich and Knabe

Perry Lindsey

Supervisor Burke

Irma Dixon
Catherine Ferguson
Deacon Willis Ford
Dr. Alan Goldson
Julia Yvonne Colley Henry
Ron Jones

Supervisor Yaroslavsky

Mary Margaret Bloom June Balliet Fay Caroline M. Pearson

Supervisor Knabe

Ernest Castano, Sr.
Christopher Gray
Joseph J. Juarez, Sr.
Charles "Chuck" A. Kane
John Reed Mansell

Supervisor Antonovich

Roger Arnebergh
Anne Elizabeth Basko
Mary Brown
James H. Dappen
Lloyd Bennington Fisher
John Hench
Margaret Whitmore Hurst
John Samuel Kreider
James A. Nelson
Dorothy Rose Scovern
Mary Louise Snyder
Charles M. Strother, D.D.S. (04-0531)

CLOSING 53

53. Open Session adjourned to Closed Session at 2:18 p.m. following Board Order No. 52 to:

CS-1

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9:

Susan Rodde, et al. v. Diana Bonta, County of Los Angeles et al., United States District Court, Central District of California, Case No. CV 03 1580

Harris et al. v. Board of Supervisors et al., Los Angeles Superior Court Case No. BS 08 1860; United States District Court Case No. CV 03 2008

<u>Union of American Physicians and Dentists, et al. v. County of Los Angeles, et al.,</u> Los Angeles Superior Court Case No. BS 083 853

These lawsuits challenge the closure of Rancho Los Amigos National Rehabilitation Center and High Desert Hospital, and alleged curtailments at LAC+USC Medical Center and MLK/Drew Medical Center. (03-1392)

CS-2

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9:

County of Los Angeles v. Aetna Casualty & Surety Co., Inc. et al., Orange County Superior Court, Case No. 785435 (Only)

County of Los Angeles v. Agricultural Insurance Co., et al., Orange County Superior Court, Case No. 01CC14113

County of Los Angeles v. Allianz Underwriters, Inc. et al., Orange County Superior Court, Case No. 803237

These lawsuits seek payment of insurance proceeds for damages to insured County building caused by Northridge Earthquake (03-2626)

CS-3.

Confer with legal counsel, regarding initiation of litigation (one case), pursuant to subdivision (c) of Government Code Section 54956.9. (04-0105)

CS-4.

Confer with legal counsel, regarding significant exposure to litigation (twelve cases), pursuant to subdivision (b) of Government Code Section 54956.9. (04-0152)

CS-5.

Confer with legal counsel, regarding significant exposure to litigation (one case), pursuant to subdivision (b) of Government Code Section 54956.9. (04-0462)

CS-6.

Consider Department Head performance evaluations, pursuant to Government Code Section 54957. (03-2917)

CS-7.

Confer with labor negotiators, Chief Administrative Officer David E. Janssen and designated staff, pursuant to Government Code Section 54957.6:

Employee Organization(s) for represented employees: The Coalition of County Unions, AFL-CIO; Local 660, SEIU, AFL-CIO; Union of American Physicians and Dentists; Guild For Professional Pharmacists; Peace Officers Counsel of California; Association of Public Defender Investigators; and Los Angeles County Association of Environmental Health Specialists; and

Unrepresented employees (all) (03-2515)

CS-8

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9:

Community Health Foundation of East Los Angeles v. County of Los Angeles

Department of Health Services, U.S. Bankruptcy Court, Central District of California,

Case No. LA 02-02017 BR

This lawsuit alleges breach of contract concerning payment for outpatient health care services. (03-2882)

CS-9

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9:

Los Angeles Times Communications, LLC and Richard P. Mckee v. Los Angeles County Board of Supervisors, Los Angeles Superior Court, Case No. BS 075 075

This is a lawsuit alleging violations of the Ralph M. Brown Act (Government Code Section 54950 et seq.) (03-3250)

Closed Session convened at 2:27 p.m. Present were Supervisors Gloria Molina, Yvonne Brathwaite Burke, Zev Yaroslavsky, Michael D. Antonovich and Don Knabe, Chairman presiding.

Closed Session adjourned at 3:55 p.m. Present were Supervisors Gloria Molina,

Yvonne Brathwaite Burke, Zev Yaroslavsky, Michael D. Antonovich and Don Knabe, Chairman presiding.

Open Session convened at 4:04 p.m. Present were Supervisors Gloria Molina, Yvonne Brathwaite Burke, Zev Yaroslavsky, Michael D. Antonovich and Don Knabe, Chairman presiding.

On motion of Supervisor Knabe, by common consent and there being no objection, the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned its meeting following Board Order No. 52 at 4:07 p.m. The next regular meeting of the Board will be Tuesday, February 17, 2004, at 1:00 p.m. (04-0534)

The foregoing is a fair statement of the proceedings of the meeting held February 10, 2004, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Violet Varona-Lukens, Executive Officer Executive Officer-Clerk of the Board of Supervisors